

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Amended claims 2-6 are in this application. Claim 1 has been canceled herein.

Claim 4 is rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claim 4 has been amended herein. Therefore, withdrawal of the 112 rejection is respectfully requested.

Claims 1-3 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by Wakui, U.S. Patent 5,648,816. AS previously mentioned, claim 1 has been cancelled herein.

Independent claim 2, as amended herein, cites in part as follows:

“...first operation means for recording an image-capturing signal on a first recording medium in accordance with a **first recording mode**;

second operation means for recording an image-capturing signal on a second recording medium in accordance with a **second recording mode**;

...

control means for **causing said first recording mode to be set** when the loading of said first recording medium is detected by said detection means.” (Underlining and bold added for emphasis)

In explaining the above rejection, the Examiner appears to have relied on system controller 2 and column 8, lines 12-24 of Wakui to teach the control means of amended claim 1.

It is respectfully submitted that such portions of Wakui as applied by the Examiner (hereinafter “Wakui”) do not disclose the above-recited feature.

That is, Wakui merely discloses that “when the IC card memory 31 is inserted in, or withdrawn from the loading portion 12, any one of the three mode setting command signals is input to the system controller 2. The system controller 2 sets the operation mode to be either a “record mode”, a “play-back mode” or an erasure mode”, in accordance with the mode setting command signal.” (See column 8, lines 17-24.) As such, it appears that Wakui merely discloses that when IC memory card 31 is inserted or withdrawn, the mode setting command signal (i.e., record mode, play-back mode, or erasure mode) is set as the operation mode. Wakui does not appear to disclose having a first recording mode and a second recording mode and wherein the first recording mode is set upon detection of the first recording medium as in amended claim 2. Accordingly, claim 2 is believed to be distinguishable from Wakui.

For reasons similar to those described above with regard to amended claim 2, claim 3 is believed to be distinguishable from Wakui.

Claims 4-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wakui in view of Honda, U.S. Pub. No. 2001/0014202.

For reasons similar to those described above with regard to claim 1, independent claims 4-6 are believed to be distinguishable from Wakui. The Examiner does not appear to have relied upon Honda to overcome the above-described deficiencies of Wakui. Accordingly, claims 4-6 are believed to be distinguishable from the applied combination of Wakui and Honda.

The Examiner has made of record, but not applied, several U.S. patents. The Applicants appreciate the Examiner’s explicit finding that these references, whether considered

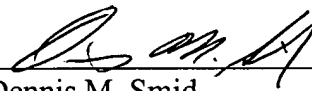
alone or in combination with others, do not render the claims of the present application unpatentable.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Respectfully submitted,
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